

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

LAWRENCE MEDICINECHIPS, JR.,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-05-869-T
)	
RON WARD, <i>et al.</i> ,)	
)	
Respondents.)	

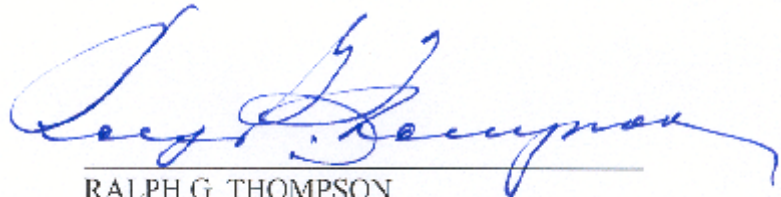
ORDER

Petitioner, a state prisoner appearing *pro se*, brought this action pursuant to 28 U.S.C. §2254, seeking a writ of habeas corpus. The matter was referred to United States Magistrate Judge Valerie K. Couch for initial proceedings. On August 19, 2005, Judge Couch issued a Report and Recommendation in which she recommended that the case be transferred to the Tenth Circuit Court of Appeals pursuant to 28 U.S.C. §2244(b)(3)(A) and 28 U.S.C. §1631. Petitioner was notified that any objections to the Report and Recommendation must be filed on or before September 8, 2005.

The court of appeals' "firm waiver rule" holds "that a party's objection to the magistrate judge's report and recommendation must be both timely and specific to preserve an issue for *de novo* review by the district court or for appellate review." United States v. One Parcel of Real Property, 73 F.3d 1057, 1060 (10th Cir. 1996). In this case, the court file reveals that Plaintiff failed to file an objection to the Report and Recommendation. Thus, by failing to specifically object to any issue addressed in Judge Couch's Report and Recommendation, Plaintiff has waived further review of the issues addressed in the Report and Recommendation.

Accordingly, upon review of the entire court file, the Court ADOPTS the September 8, 2005, Report and Recommendation in its entirety and Petitioner's July 29, 2005, Petition for a Writ of Habeas Corpus is transferred to the Court of Appeals pursuant to 28 U.S.C. §2244(b)(3)(A).

IT IS SO ORDERED this 15th day of September, 2005.



RALPH G. THOMPSON
UNITED STATES DISTRICT JUDGE